

**U.S. Department of Justice**

*United States Attorney  
Southern District of New York*

*86 Chambers Street  
New York, New York 10007*

May 2, 2025

**By ECF**

The Honorable Valerie Figueredo  
United States Magistrate Judge  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl Street  
New York, NY 10007

Re: *Perdomo v. United States of America*,  
24 Civ. 5048 (JHR) (VF)

Dear Judge Figueredo:

This Office represents respondent United States of America (the “Government”) in the above-referenced petition (the “Petition”) brought by petitioner Orlando Marchello Perdomo (“Petitioner”) under 26 U.S.C. § 7609 seeking to quash several third-party administrative summonses issued by the Internal Revenue Service (“IRS”) to six banks (the “Bank Summonses”). The IRS issued the Bank Summonses in aid of its criminal investigation of Petitioner on the belief that he underreported his income for tax years 2018–2021. On August 22, 2024, the Government filed a motion to deny the Petition (ECF No. 4) (the “Motion”). The Government’s Motion was fully briefed as of October 3, 2024, and has been pending before the Court. Subsequently, on April 1, 2025, the IRS issued another summons to American Express (the “AMEX Summons”) as part of the same criminal investigation, which seeks records pertaining to Petitioner and certain of his business entities. With the Government’s consent, Petitioner filed an Amended Petition on April 23, 2025 (ECF No. 16) under Fed. R. Civ. P. 15(a)(2) to quash the Bank Summonses and the AMEX Summons. Since the Government has not yet had responded to the Amended Petition, and since it raises the same issues addressed in the Government’s Motion, the Government respectfully requests permission to withdraw its initial Motion and instead file a motion to deny the Amended Petition that would address both the Bank Summonses and the Amex Summons. The parties propose the following briefing schedule for the Court’s approval:

- Government’s motion to deny the Amended Petition: Friday, May 23, 2025
- Petitioner’s opposition: Friday, June 13, 2025
- Government’s reply: Friday, June 27, 2025

We thank the Court for its consideration of this letter.

Respectfully,

JAY CLAYTON  
United States Attorney

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cc: Counsel of Record (By ECF)

## MEMO ENDORSED

  
**HON. VALERIE FIGUEREDO**  
**UNITED STATES MAGISTRATE JUDGE**

Dated: 5/5/2025

The Government's request to withdraw its initial motion and file a motion to deny the Amended Petition is GRANTED.

The Parties' proposed briefing schedule is also GRANTED.

The Clerk of Court is respectfully directed to terminate the gavel at ECF No. 18.